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2005 JAN 28 P 5:39

DISTRICT OF UTAH

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JAN 28 2005

U.S. DISTRICT COURT

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*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

~~PROPOSED~~  
ORDER RE BRIEFING FOR PENDING  
MOTIONS

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

387

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED as follows:

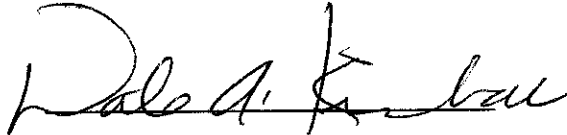
IBM's Memorandum in Opposition to SCO's Motion to Compel IBM to Produce Samuel Palmisano for Deposition shall be due on February 11, 2005;

SCO's Reply Memorandum in Support of its Renewed Motion to Compel Discovery shall be due on February 25, 2005; and

SCO's Reply Memorandum in Support of its Motion to Compel IBM to Produce Samuel Palmisano for Deposition shall be due on March 4, 2005.

DATED this 28<sup>th</sup> day of January, 2005.

**BY THE COURT**

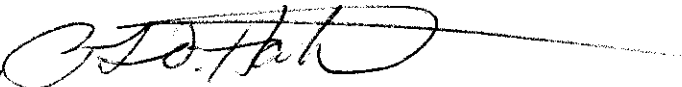


APPROVED AS TO FORM:

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

By   
Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of January, 2005, a true and correct copy of the foregoing was and was sent by U.S. Mail, postage prepaid, to the following:

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A handwritten signature in black ink, appearing to read 'Amy F. Sorenson', written over a horizontal line.

Amy F. Sorenson

blk

United States District Court  
for the  
District of Utah  
January 31, 2005

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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